

A SUMMARY OF ORDINANCE NO. 2015-05  
ENTITLED  
“AN ORDINANCE REZONING PROPERTY OWNED BY SUE BENNETT HILL,  
LLC AT FIFTH STREET AND COLLEGE STREET, LONDON, KENTUCKY”

This summary is prepared pursuant to KRS 83A.060(4) as a correct summary of this Ordinance. The main points of this Ordinance are that public hearings were conducted by the London-Laurel County Zoning and Planning Commission (“the Commission”) on May 12, 2015, following a written request to the Commission that the property be rezoned. This property is located at Fifth Street and College Street, London, Kentucky, and is particularly described in the full text of the Ordinance. All of the requirements of KRS 100.211 have been met. The Zoning and Planning Commission recommended that this property be zoned from R-1 (residential), R-2 (residential), and C-3 (commercial) to all be zoned C-3 (Commercial) for the entire tract and that the Zoning map be amended to reflect this change. The London-Laurel County Zoning and Planning Commission made findings, pursuant to KRS 100.213(1) that the existing zoning classifications given to the property are inappropriate because the proposed zoning classification is appropriate and that there have been major changes which were not anticipated in the adopted Comprehensive Plan which have substantially altered the basic character of the property and neighborhood in question. The Ordinance as written accepts the Commission’s recommendation and ordains that this property be rezoned from R-1 (residential), R-2 (residential), and C-3 (commercial) to all be zoned C-3 (Commercial) for the entire tract. There has been compliance with KRS Chapter 100.

The full text of this Ordinance is on file in the office of the City of London

Clerk, 501 South Main Street, London, Kentucky where it may be inspected.

This summary is intended to comply with KRS 83A.060(4) as a true and accurate summary of this Ordinance. The Summary of this Ordinance is certified pursuant to KRS 83A.060(9), by Attorney Larry G. Bryson, an attorney licensed to practice law in the Commonwealth of Kentucky and will be effective upon publication of the Summary.

LARRY G. BRYSON  
LONDON CITY  
ATTORNEY

COMMONWEALTH OF KENTUCKY  
CITY OF LONDON  
ORDINANCE NO. 2015-05

AN ORDINANCE REZONING PROPERTY OWNED BY SUE BENNETT HILL, LLC AT FIFTH STREET AND COLLEGE STREET, LONDON, KENTUCKY:

BE IT ORDAINED BY THE CITY OF LONDON AS FOLLOWS:

Public hearings were conducted by the London-Laurel County Zoning and Planning Commission on May 12, 2015, concerning the rezoning of property owned by the following:

(1) Sue Bennett Hill, LLC, located at Binder Drive, London, Kentucky; this property is currently zoned R-1 (residential), R-2 (residential) and C-3 (commercial), the owner has requested that this property be rezoned to all be zoned C-3 (commercial). It has been represented to the City Council of the City of London that all requirements of public notice have been met in keeping with KRS 100.211, that all legal requirements have been met and that there has been compliance with all applicable provisions of KRS Chapter 100. The rezoning of the tract of property was requested by the property owner and the hearings were conducted in a timely manner. The London-Laurel County Zoning and Planning Commission made findings, pursuant to KRS 100.213(1) that the existing zoning classifications given to the property are inappropriate because the proposed zoning classification is appropriate and that the requested change is anticipated in the adopted comprehensive plan, and has made a recommendation of approval of this requested zone change and that the zoning map be amended to reflect these changes.

IT IS THEREFORE ORDAINED AS FOLLOWS:

(1) The property of Sue Bennett Hill, LLC, located at Binder Drive, London, Kentucky be rezoned from R-1, R-2, and R-3 to all be zoned C-3, and that the zoning map reflect these zone

changes. A description of the property is more particularly set out herein below:

A certain tract or parcel of land lying and being in the Town of London, Laurel County, Kentucky, and tract located on the land formally known as Sue Bennett College and lying on the waters of Whitley Branch and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as "pin and cap" is a set 5/8" diameter steel rebar, eighteen (18") inches in length, with a red plastic survey cap stamped "J.C.D. PLS 3138".

Unless stated otherwise, any monument referred to herein as "Witness Pin" is a set 5/8" diameter steel rebar, eighteen (18") inches in length, with a yellow plastic survey cap stamped WITNESS MON. PLS 3138. All bearings shown hereon are referenced to grid north as measured by GPS observations on December 12th, 2013.

BEGINNING at a "magnetic pk nail" set in sidewalk curb at the south intersection of W Fifth Street and College Street, pk nail having a Kentucky state plane single zone coordinates of N 3,573,680.28, E 5,405,600.77; Thence with College Street S 37°29'05" E a distance of 655.97' to a "pin and cap" common with College Street and Glen H. "Buddy" Westbrook Living Trust (deed book 550, page 156); Thence with Westbrook S 52°32'37" W a distance of 230.00' to an existing angle iron; Thence severing Sue Bennett Hill, LLC (deed book 697, page 785) the following (25) calls: S 15°40'39" W a distance of 120.32' to a "pin and cap"; Thence S 22°58'13" E a distance of 117.72' to a "pin and cap"; Thence S 44°30'35" W a distance of 60.66' to a "pin and cap"; Thence S 37°16'56" E a distance of 35.69' to a "pin and cap"; Thence S 51°43'21" W a distance of 6.93' to a "pin and cap"; Thence S 38°08'30" E a distance of 114.62' to a "pin and cap"; Thence S 62°31'18" W a distance of 222.44' to a "pin and cap"; Thence S 13°58'05" W a distance of 206.31' to a "pin and cap"; Thence S 67°29'31" E a distance of 54.11' to a 3" galvanized steel corner post; Thence S 55°29'52" E a distance of 55.17' to a "pin and cap"; Thence S 30°38'47" W a distance of 9.16' to a 2 1/2" galvanized steel corner post; Thence S 59°44'26" E a distance of 112.32' to a 2 1/2" galvanized steel corner post; Thence S 66°52'51" E a distance of 128.91' to a 2 1/2" galvanized steel corner post; Thence S 03°55'07" W a distance of 58.90' to a "pin and cap"; Thence S 10°32'48" W a distance of 29.52' to a "pin and cap"; Thence S 24°03'44" W a distance of 30.39' to a "pin and cap"; Thence S 32°36'08" W a distance of 68.25' to a "pin and cap", at the PC of a curve; Thence with the curve turning to the right with an arc length of 157.01', a radius of 269.04', a chord bearing of S 50°11'20" W, and a chord length of 154.79', to a "pin and cap" at the PT of a curve; Thence S 84°45'47" W a distance of 58.64' to a "pin and cap"; Thence N 76°35'03" W a distance of 126.06' to a "pin and cap"; Thence N 57°44'41" W a distance of 85.55' to a "pin and cap"; Thence N 40°02'44" W a distance of 45.94' to a "pin and cap"; Thence N 04°00'52" W a distance of 49.02' to a "pin and cap"; Thence N 40°24'39" W a distance of 193.85' to a "pin and cap"; Thence N 38°59'02" W a distance of 467.04' to a "pin and cap" located in the east right-of-way of 5th Street, 25.0' from center, (No road deed found); Thence N 20°46'43" E a distance of 1,003.28' to a "pin and cap" at the PC of a curve; Thence with the curve turning to the right with an arc length of 106.54', a radius of

200.00', a chord bearing of N 36°04'33" E, and a chord length of 105.29', to a "pin and cap" at the PT of a curve; Thence N 51°20'13" E passing over a "witness pin" a distance of 146.94' in all a total distance of 168.68' to the POINT OF BEGINNING and having an area of 21.15 ACRES, according to a field survey completed on April 1st, 2015 and performed under the direct supervision of Jody C. Dagley PLS 3138, with JD Land Surveying, Inc., and being a portion of deed book 697, page 785 conveyed to Sue Bennett Hill LLC, and of record in the Laurel County Court Clerk's Office in London, Kentucky.

Above described property is subject to all easements, exceptions, right-of-ways, covenants, and restrictions of record or that may apply.

This Ordinance shall be effective upon publication.

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MAYOR TROY RUDDER  
CITY OF LONDON

FIRST READING: \_\_\_\_\_  
SECOND READING: \_\_\_\_\_  
PUBLICATION DATE: \_\_\_\_\_

ATTESTED:

\_\_\_\_\_  
CITY CLERK